

Message Text

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21

ACTION L-02

INFO OCT-01 EA-06 ISO-00 CIAE-00 PM-03 H-02 INR-07 NSAE-00

NSC-05 PA-01 PRS-01 SP-02 SS-15 NSCE-00 SSO-00

USIE-00 INRE-00 /045 W

----- 120637

O R 010935Z MAY 75

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC IMMEDIATE 9852

INFO COMUSJAPAN YOKOTA JA

CINCPAC HONOLUU HI

CG 5TH AF YOKOTA JA

CSAF WASH DC/JA

CONFIDENTIAL TOKYO 5816

E.O. 11652 GDS

TAGS: MARR, JA

SUBJECT: IE SHIMA SHOOTING INCIDENT

REF: STATE 98516

1 APPRECIATE PROMPT RESPONSE.

2. EMBASSY HAS DISCUSSED CONCERNS EXPRESSED REFTEL
WITH FNOFF. FONOFF UNDERSTANDS CLEARLY THAT USG CAN
MAKE NO COMMITMENT TO PUNISH AIRMEN INVOLVED BUT IS
UNABLE ACCEPT LANGUAGE PROPOSED PARA 2 REFTEL. GOJ DECISION
NOT TO EXERCISE JURISDICTION INVOLVED DIFFICULT INTER-
MINISTERIAL STRUGGLE AND IS EXPECTED TO CREATE STRONG ADVERSE
PUBLIC REACTION IN LIGHT OF RECENT CASE ON OKINAWA.
GOJ HAS ACCEDED TO BASIC USG POSITION AND NOW NEEDS MOST
POSITIVE FORMULATION RE USG INTENT.

3. AFTER CONSIDERABLE DISCUSSION, FONOFF HAS PROPOSED FOLLOWING
ALTERNATIVE LANGUAGE: QTE THE PROPER U.S. AUTHORITIES
WILL PROMPTLY TAKE APPROPRIATE CRIMINAL AND OR DISCIPLINARY
ACTION AGAINST THE AIRMEN INVOLVED IN ACCORDANCE WITH THE
UNIFORM CODE OF MILITARY JUSTICE AND INFORM THE GOVERNMENT
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OF JAPAN OF THE RESULTS. UNQTE: IN RESPONSE TO EMBASSY

SUGGESTION THAT WORD QTE DISCIPLINARY UNQTE MIGHT BE MORE PREFERABLE THAN QTE CRIMINAL OR DISCIPLINARY UNQTE FONOFF POINTED OUT THAT USE OF BOTH WORDS DESIGNED TO REFLECT THEIR USE IN SOFA ARTICLE XVIII WHICH CONVEYS IMPRESSION THAT DISCIPLINARY ACTION IS LESSER ACTION.

4. EMBASSY BELEIVES THAT PROPOSED LANGAUAGE MEETS DEPARTMENTS CONCERNS AND RECOMMENDS APPROVAL.

5. PRESENT PLAN IS FOR DCM TO MEET WITH ARITA MORNING OF MAY 6 AFTER WHICH USG IS FREE TOEXERCISE JURISDICTION. GOJ PLANS TO REVEAL OUTCOME DURING DIET COMMITTEE SESSION SCHEDULED MAY 7. SINCE MAY 5 IS HOLIDAY, EMBASSY NEEDS DEPT RESPONSE BY OPENING OF BUSINESS HERE MAY 2ND.

6. PLEASE NOTE THATFONOFF INTENDS TO THREAT MEMORANDUM AS CONFIDENTIAL DRAWING ON ITS SUBSTANCE WHEN DISCUSSION DISPOSITION OF CASE IN DIET.

HODGSON

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Message Attributes

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